

# **EXHIBIT 1**

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IN THE CIRCUIT COURT OF THE 11TH  
JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

CASE NO: 21-024823 CA 01 (27)

SOLOMON HUMES,

Plaintiff,

vs.

MICHAEL TYRONE CLEMONS,  
KNIGHT-SWIFT TRANSPORTATION  
HOLDINGS, INC.,

Defendants.

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**COMPLAINT**

Plaintiff, SOLOMON HUMES, by and through his undersigned attorneys, and hereby sues the Defendants, MICHAEL TYRONE CLEMONS and KNIGHT-SWIFT TRANSPORTATION HOLDINGS, INC., and alleges:

1. This is an action for damages that exceeds the sum of Thirty Thousand Dollars (\$30,000.00), exclusive of costs, interest and attorneys' fees. (The estimated value of Plaintiff's claim is in excess of the minimum jurisdictional threshold required by this Court). Accordingly, Plaintiff has entered "\$30,001" in the civil cover sheet for the "estimated amount of the claim" as required in the preamble to the civil cover sheet for *jurisdictional purposes only* (the Florida Supreme Court has ordered that the estimated "amount of claim" be set forth in the civil cover sheet for data collection and clerical purposes only). The actual value of Plaintiff's claim will be determined by a fair and just jury in accordance with Article 1, Section 21, Fla. Const.

2. At all times material hereto, Plaintiff, SOLOMON HUMES, was and is a resident of Broward County, Florida.

3. At all times material hereto, the Defendant, MICHAEL TYRONE CLEMONS, was and is a resident of Broward County, Florida.

4. At all times material hereto, the Defendant, KNIGHT-SWIFT TRANSPORTATION HOLDINGS, INC., was and is a foreign profit corporation and maintains a property for the regular transaction of its business in Miami-Dade County, Florida.

5. Venue is proper in this Court as the incident giving rise to this litigation occurred in Miami-Dade County, Florida.

**FACTS GIVING RISE TO CAUSE OF ACTION**

6. On or about September 14, 2020, the Defendant, MICHAEL TYRONE CLEMONS, was the authorized operator of a 2019 Semi truck, green in color, bearing Oklahoma Vehicle License Number 3CV497, traveling southbound on Interstate 95, in Miami-Dade County, Florida.

7. At that time and place, the Defendant, KNIGHT-SWIFT TRANSPORTATION HOLDINGS, INC., was the owner of, the aforementioned 2019 Semi truck, green in color, bearing Oklahoma Vehicle License Number 3CV497.

8. At all times material hereto, Defendant, MICHAEL TYRONE CLEMONS, had the express and/or implied consent of the owner, KNIGHT-SWIFT TRANSPORTATION HOLDINGS, INC., to operate the aforesaid motor vehicle.

9. At that time and place, Plaintiff, SOLOMON HUMES, was a passenger of a 2020 Hyundai, grey in color, bearing Florida Vehicle License Number HLDH56, traveling northbound on State Road 826, in Miami-Dade County, Florida.

10. At the aforementioned roadways, there was a collision between the respective vehicles of the Defendant, MICHAEL TYRONE CLEMONS, and Plaintiff, SOLOMON HUMES. As such, Plaintiff, SOLOMON HUMES, sustained significant, permanent bodily injuries.

**COUNT I – PLAINTIFF’S CLAIM OF NEGLIGENCE AGAINST DEFENDANT,  
MICHAEL TYRONE CLEMONS**

Plaintiff, SOLOMON HUMES, hereby incorporates and re-alleges paragraphs 1 through 10 above as though they had been set forth herein and further states:

11. At all times material hereto, the Defendant, MICHAEL TYRONE CLEMONS, negligently operated and/or maintained said motor vehicle so that it collided with the vehicle operated by Plaintiff, SOLOMON HUMES.

12. As a direct and proximate result of said negligence, Plaintiff, SOLOMON HUMES, suffered bodily injury including a permanent injury to the body as a whole, pain and suffering of both a physical and mental nature, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, aggravation of an existing condition, expense of hospitalization, medical and nursing care and treatment, loss of earnings, and loss of future earning capacity. The losses are either permanent or continuing and Plaintiff will suffer these losses in the future.

WHEREFORE, Plaintiff, SOLOMON HUMES, demands judgment in his favor against the Defendant, MICHAEL TYRONE CLEMONS, in excess of the minimum jurisdictional limits

of this Court for compensatory damages, including incidental and consequential damages, post-judgment interest, costs, attorney's fees, and for any other relief this Court deems just and proper.

**COUNT II – PLAINTIFF'S CLAIM OF VICARIOUS LIABILITY AGAINST KNIGHT-SWIFT TRANSPORTATION HOLDINGS, INC.**

Plaintiff, SOLOMON HUMES, hereby incorporates and re-alleges paragraph 1 through 12 above as though they had been fully set forth herein and further states:

13. At all times material hereto, the Defendant, KNIGHT-SWIFT TRANSPORTATION HOLDING, INC., did knowingly permit and entrust their motor vehicle to the Defendant, MICHAEL TYRONE CLEMONS, thereby resulting in the collision with the vehicle operated by Plaintiff, SOLOMON HUMES.

14. At all times material hereto, the Defendant, MICHAEL TYRONE CLEMONS, negligently operated and/or maintained his motor vehicle so that it collided with Plaintiff, SOLOMON HUMES.

15. As a result of said negligence, Plaintiff, SOLOMON HUMES, suffered bodily injury including a permanent injury to the body as a whole, pain and suffering of both a physical and mental nature, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, aggravation of an existing condition, expense of hospitalization, medical and nursing care and treatment, loss of earnings, loss of ability to earn money and loss of ability to lead and enjoy a normal life. The losses are either permanent or continuing and Plaintiff will suffer these losses in the future.

WHEREFORE, Plaintiff, SOLOMON HUMES, demands judgment in his favor against the Defendant, KNIGHT-SWIFT TRANSPORTATION HOLDINGS, INC., in excess of the

minimum jurisdictional limits of this Court for compensatory damages, including incidental and consequential damages, post-judgment interest, costs, and for any other relief this Court deems just and proper.

**DEMAND FOR JURY TRIAL**

The Plaintiff demands trial by jury on all issues triable as of right by jury.

Dated this 9<sup>th</sup> day of November 2021.

/s/ Marcel Flemming

MARCEL FLEMMING, ESQ.

FBN: 41001

Morgan & Morgan

703 Waterford Way, Suite 1050

Miami, FL 33126

Phone: (305) 929-1900

Fax: (305) 929-1946

Attorneys for Plaintiff

E-Mail: [mflemming@forthepeople.com](mailto:mflemming@forthepeople.com)

[icabrera@forthepeople.com](mailto:icabrera@forthepeople.com)

[cgarciaespinoza@forthepeople.com](mailto:cgarciaespinoza@forthepeople.com)